

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

AARON ROMERO,

Plaintiff,

v.

VITRO FLAT GLASS, LLC,

Defendants.

Case No. 1:20-cv-01573-NONE-SAB

ORDER REQUIRING DEFENDANT TO  
FILE RESPONSIVE PLEADING

SEVEN DAY DEADLINE

On October 7, 2020, Aaron Romero (“Plaintiff”), on behalf of himself and all others similarly situated, filed this action in the Fresno County Superior Court against Vitro Flat Glass, LLC (“Defendant”) alleging violations of California labor law. (ECF No. 1-1.) Defendant was served on October 8, 2020. (ECF No. 1-1 at 45.) On November 6, 2020, Defendant removed the action to the Eastern District of California. (ECF No. 1.)

Pursuant to the Federal Rules of Civil Procedure, “[a] defendant who did not answer before removal must answer or present other defenses or objections under these rules within the longest of these periods: (A) 21 days after receiving--through service or otherwise--a copy of the initial pleading stating the claim for relief; (B) 21 days after being served with the summons for an initial pleading on file at the time of service; or (C) 7 days after the notice of removal is filed.” Fed. R. Civ. P. 81(c)(2).”

Defendant’s notice of removal does not include an answer filed in the state court.

Accordingly, IT IS HEREBY ORDERED that Defendant shall file a responsive pleading within **seven (7) days** of the date of entry of this order.

IT IS SO ORDERED.

Dated: **November 10, 2020**

  
UNITED STATES MAGISTRATE JUDGE